

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

TOMMY STURDIVANT, AIS # 148248,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	CIVIL ACTION: 12-0681-CB-B
	*	
CHOCTAW COUNTY, ALABAMA, et al.,	*	
	*	
Defendants.	*	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** this action be dismissed with prejudice, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) because Plaintiff's claims are either frivolous or fail to state a claim upon which relief may be granted.

DONE this 27th day of January, 2014.

s/Charles R. Butler, Jr.
SENIOR UNITED STATES DISTRICT JUDGE